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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,231	05/07/2001	Gary Kuan-Hong Hsieh	ING 105	8052

7590 09/21/2004

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EXAMINER

GURSHMAN, GRIGORY

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/849,231

Applicant(s)

HSIEH ET AL.

Examiner

Grigory Gurshman

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation "the secrecy data in the card comprises a random primary secrecy key and a predefined second secrecy key of invariable" does not point out the nature of the keys and for what purpose they are stored on the card.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richards (GB 2295 939 A) in view of Mueller-Schloer (U.S. patent No. 4,438,824).
5. Referring to the instant claims Richards discloses a data communication system (see Fig.3). Richards teaches the use of the cards produced having eye-readable data including a personal name, address and telephone number. In addition, machine-readable data, conveyed via a magnetic strip or similar is also provided on the card. A

plurality of the cards are supplied to the named individual for distribution to recipients and each recipient is encouraged to apply the card to a card reader (42) arranged to read the machine-readable data from the card. The data read from the card is processed and as a result of this processing, a modem (46) sets up a call to a processing center (47) via a telephone network (48). In response to contacting the database, the database responds by supplying data back to the recipient's processing device (45) relating to the individual named on the card (see abstract and Fig. 3).

6. Referring to the independent claim 1 and 6, the limitation "network data processing center that can be connected with a card reader via network" is met by processing center (47) connected to a card reader (42) over computer network (see Fig.3). The limitation "database that supports searches of the network data processing center" is met by a database (see block 73 in Fig.5). The limitation "means for receiving data uploaded from at least one card " is met by a computer (45 in Fig. 3). The limitation "checking whether the uploaded identification data of the card is correct... refusing any login requests if uploaded identification data is not correct" is met by blocks 74, 75 and 82-84 (Fig.5). Richards, however, does not explicitly teach checking the address corresponding to the card reader prior to allowing the card to be logged in.

7. Referring to the instant claims, Mueller-Schloer discloses a method for identity verification (see abstract). Mueller-Schloer teaches an apparatus for identity verification using a data card contains at least one terminal and a security service station. The terminal(s) and the station are connected to each other via a communication system. The terminal is provided with a central processing unit including a memory, a card

reader for reading data from the data card, a sensor or number input device for introducing personal identification information, and a crypto module. The crypto module encrypts and decrypts data received from the memory under the control of the central processing unit. The security service station likewise also contains a central processing unit including a memory, and a crypto module. This station also contains a comparator for comparing personal identification information with reference personal identification information (see abstract and Fig.5). According to Mueller-Schloer the validation process is started by inserting the personal data card 2 into the card reader 16 and by activating the sensor of the feature extractor 18. Instead of a personal feature, also a personal identification number may be entered into the terminal 4A. The card reader 16 will read the PDC information, and the feature extractor 18 will extract personal feature(s) from the card user 10 (see Fig.5). Mueller-Schloer shows that the user is authenticated by comparing (in unit 38) the features with the reference features (see Fig 6A). The features include user IDs and the card reader address. Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the communication system comprising the card reader connected to the data processing center of Richards by adding the means for checking the addresses of the card readers prior to allowing the logins. One of ordinary skill in the art would have been motivated to modify the communication system comprising the card reader connected to the data processing center by adding the means for checking the addresses of the card readers prior to allowing the logins for identifying the user (see Mueller-Schloer, abstract).

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8. Referring to claim 3, Richards teaches uploading the data from the card as soon as being inserted (see Figs. 4 and 5).
9. Referring to claims 4,5 and 8, Richards teaches a time login status check (see block 82 in Fig. 5) for maintaining the validity of login.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (703) 306-2900. The examiner can normally be reached on 9 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Grigory Gurshman
Examiner
Art Unit 2132

Gilberto Barron
GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
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